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United Nations reform: measures and proposals

Time limits of new initiatives "sunset" provisions

Note by the Secretary-General

1. The Secretary-General, in his report of 14 July 1997, entitled "Renewing the United Nations: a programme for reform" (A/51/950), recommended to the General Assembly that each initiative that involved new organizational structures and/or major commitments of funds be subjected to specific time limits, by which time it would be reviewed and renewed only by explicit action of the Assembly. In its resolution 52/12 B of 19 December 1997, the Assembly invited the Secretary-General to elaborate further his proposals and to present them to it by the end of March 1998. The present note responds to that invitation.

2. The idea of specific time limits, or "sunset" provisions, is intended to provide a specific time horizon for mandates, whereupon their continuation would require explicit renewal by the General Assembly. The purpose of sunset provisions is to strengthen the role and capacity of the Organization by focusing its efforts only on activities that have continuing relevance, usefulness and effectiveness.

3. Mandates emanating from resolutions and decisions of the General Assembly and other intergovernmental bodies are translated into programmes and activities, which are reflected in the medium-term plan and the relevant budgets. Review by the Assembly and other intergovernmental bodies to determine the continuing relevance and usefulness of mandated programmes and activities has been carried out within the established procedures for approving the medium-term plan and the programme budgets, in accordance with the Financial Regulations and Rules of the United Nations and the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation. In that connection, the Committee for Programme and Coordination has responsibility for assessing, *inter alia*, the results achieved from activities and the continuing validity of legislative decisions of more than five years' standing (Economic and Social Council resolution 2008 (LX), annex, para. 2 (a) (I)).

4. While current procedures exist for determining the continuing validity of legislative decisions, most mandated programmes and activities have not, in practice, been subjected

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to specific time limits. Some programmes and activities, of course, necessarily expire after the fulfilment of mandates, as has been the case of, for example, the Centre against Apartheid, the Office of the United Nations Commissioner for Namibia and the convening of major conferences. On the whole, however, there has been insufficient focus on the continuing relevance and effectiveness of mandated programmes and activities.

5. To determine relevance, effectiveness and impact of mandated programmes and activities, evaluation studies have been carried out on a regular basis and have been presented to the Committee for Programme and Coordination for its consideration. However, those evaluation studies have been primarily management-oriented, with recommendations focusing on needs assessment, programme design, problem solving, quality of outputs, timeliness, requirements of end-users and so on. While there have been recommendations for the cancellation of certain activities, generally at the output level (because of duplication, overlapping or rationalization), evaluation studies have not addressed the question of the continuing validity of the programme itself. There are obvious inherent difficulties with assessing the continuing validity of legislative mandates, given the diversity of views, concerns and priorities of Member States.

6. The purpose of the sunset provision, therefore, is to obtain the agreement of Member States at the outset by establishing, at the time of adoption by the relevant intergovernmental bodies of a mandate that involves new organizational structures and/or major commitments of funds, specific time limits for the implementation of that mandate. With such a provision, Member States and the Secretariat would be required to focus on the results to be achieved within a particular time-frame, after which the new initiative would terminate. In essence, unlike the current practice of continuing programmes and activities unless otherwise determined, the future practice would be that new initiatives of the General Assembly would have sunset provisions for the termination of those initiatives unless otherwise determined. The determination of continuing relevance and usefulness would be undertaken within the context of current procedures for the approval of the medium-term plan and programme budgets.

Recommendations

7. It is therefore recommended that the General Assembly endorse the proposal that each initiative that involves new organizational structures and/or major commitments of funds be subjected to time limits, which would be reflected, at the outset, in the relevant resolutions and decisions establishing that mandate. The Assembly may also wish to reaffirm the programme planning and budgetary process by which it would determine the extent to which results have been achieved and whether or not mandated programmes and activities would be continued or terminated.